

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
VALENTINO JOHNSON,
Defendant.

Case No. 14-cr-00412-TEH

**ORDER RE: GOVERNMENT'S
SEALED MOTION CLARIFYING
DISCLOSURE OF IMPEACHMENT
INFORMATION**

The Government has filed an *ex parte* motion under seal seeking clarification of its disclosure obligations regarding the personnel files of Officers Wise and Cader in light of this Court's November 13, 2014 Order (Docket No. 59). While the Court finds it necessary to keep the motion and attached documents under seal, it makes this Order public in the interest of transparency, and to inform Defendant of the Court's actions.

The Court now clarifies that, as to the personnel files of Officers Wise and Cader, for which Defendant's subpoena was quashed, the Court's Order does not require the Government to disclose materials beyond those that must be disclosed under *Brady/Giglio*.

A prosecutor's obligations under *Brady* and *Giglio* are self-executing. *United States v. Jennings*, 960 F.2d 1488, 1491 (9th Cir. 1992). Consequently, aside from clarifying that the November 13, 2014 Order does not require additional disclosure of these two Officers' personnel files outside the scope of *Brady/Giglio*, the Court declines any request to advise the Government on the applicability of *Brady/Giglio* to specific complaints or personnel files.

IT IS SO ORDERED.

Dated: 11/26/14

Thelton Henderson
THELTON E. HENDERSON
United States District Judge